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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,525	09/18/2003	Fred A. Brown	917/192	5853
2101	7590	03/23/2005	EXAMINER	
BROMBERG & SUNSTEIN LLP 125 SUMMER STREET BOSTON, MA 02110-1618			DONOVAN, LINCOLN D	
			ART UNIT	PAPER NUMBER
			2832	

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/666,525

Applicant(s)

BROWN, FRED A. 

Examiner

Lincoln Donovan

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 and 17-23 is/are pending in the application.
- 4a) Of the above claim(s) 9-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, 8 and 17-23 is/are rejected.
- 7) ☒ Claim(s) 5 and 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02-23-04 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12-22-03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

Claims 9-16 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected claimed method, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 12-27-04.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 and 17-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steingroever et al. [US 4,381,492] in view of Andrews [US 3,158,797].

Regarding claims 1-4, Steingroever et al. discloses a magnetizing fixture for connection to an electrical power supply comprising:

- first and second electrical connections [7a, 7b] to the power supply;
- an electrically conductive structure having a plurality of electrically conductive elements and an electrically conductive top [9, figure 3], each element having a first end coupled to one of the first and second electrical connectors and each element having a second end coupled to the electrically coupled top [figure 2];
- an electrically conductive core [25] having top and bottom surfaces and a plurality of open channels [26, figure 6] laterally supporting the conductors; and

- a insulating sleeves isolating the conductors from the channels.

Steingroever et al. disclose everything claimed except the top of the conductive structure being "connected" to the conductive top.

Andrews discloses a magnetizer having a solid conductive member [figures 12, 13] having a top portion connected to a core portion [figures 10-11].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the connection design of Andrews for the conductive structure of Steingroever et al. in order to rigidly mount the conductive structure on the core.

Regarding claim 7, Steingroever et al., as modified, disclose everything claimed except the soldering material having a melting point less than that of the insulating material.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use solder having a melting point less than that of the insulating material in order to prevent damage to the insulating material during manufacture.

Claims 17-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steingroever et al., as modified, as applied to claims 1-8 above, and further in view of Aiello et al. [US 6,124,776].

Regarding claims 17-19 and 21-22, Steingroever et al., as modified, disclose everything claimed except the core being within the interior of the magnetizer.

Aiello et al. discloses a magnetizer [figure 1] having a core within an interior of a magnetizing conductive structure [figure 3b].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the core design of Steingroever et al., as modified, to have the core within the interior portion of the magnetizer in order to magnetize differing types of structures.

Regarding claim 20, Steingroever et al., as modified, disclose everything claimed except the insulation coating the conductive core.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the insulation coat the conductive core in order to prevent short circuiting of the conductive structure.

Regarding claim 23, Steingroever et al., as modified, disclose everything claimed except the solder being silver solder.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use silver solder for the solder of Steingroever et al., as modified, in order to improve the electrical connection between the power supply and the terminals.

#### ***Allowable Subject Matter***

Claims 5-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rezik et al. [US 6,272,729].

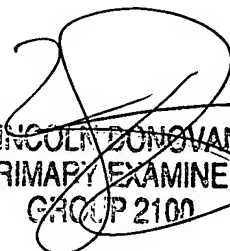
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lincoln Donovan whose telephone number is 571-272-1988. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ldd

  
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